IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 1706 OF 2007

Phanix Aluminium Pvt. Ltd. .... Petitioner

versus

S.L.Bhosale ..... Respondent.

Shri A.D.Patwardhan for the petitioner
Shri V.P.Vaidya for Respondent.

CORAM; A.P. DESHPANDE, J.
DATED; 20TH JUNE, 2007

P.C.;

1. An award passed by the labour court holding the termination of the respondent as illegal, is challenged by filing the present writ petition. The main dispute before the labour court was as to whether the respondent has completed more than 240 days of service in the year preceeding his termination, and as to whether the termination has been effected in breach of section 25-F of the Industrial Disputes Act. On the basis of evidence on record appreciated in the light of the evidence of the petitioner's witnesses, the labour court has recorded a finding that the respondent had completed more than 240 days of continuous service preceeding the termination and thus the termination is in breach of section 25-F of the I.D.Act. Resinstatement with 50% backwages has been

granted.

2. Perused the award. The same does not warrant any interference in writ jurisdiction. In the result, the writ petition is summarily dismissed.

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